

MANDATE

1:16-cv-09517-LAK

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: Jun 08 2023

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8th day of June, two thousand twenty-three,

Daniel Kleeberg, Lisa Stein, Audrey Hays,

Plaintiffs-Intervenors-Defendants-Appellees,

v.

Wendy Eber, in her individual capacity and as Executrix
u/w/o LESTER EBER,
Alexbay, LLC, formerly known as Lester Eber, LLC

Defendants-Intervenor-Defendants-Cross-
Defendants-Appellants,

Lester Eber,

Defendant-Intervenor-Defendant-Cross-
Defendant,

Canandaigua National Corporation, doing business as
Canadaigua National Bank & Trust,
The Estate of Lester Eber,

Defendants,

Eber Bros. & Co., Inc., Eber Bros. Wine & Liquor
Metro, Inc, Eber Bros. Wine and Liquor
Corporation, EberConnecticut, LLC,

Defendants-Nominal Defendants-Intervenor-
Defendants-Cross-Defendants,

Elliot W. Gumaer, Jr., Estate of Elliot W. Gumaer, Jr.

Defendants-Cross-Claimants-Cross-Defendants,

ORDER

Docket No. 23-787

MANDATE ISSUED ON 06/08/2023

Canandaigua National Bank and Trust Company,

Defendant-Cross-Defendant,

Slocum & Sons of Maine, Inc., EberRhode Island, LLC
d/b/a Slocum & Sons of Rhode Island,
Eber Bros. Acquisition Corp., EberMetro, LLC,
EberRhode Island, LLC,

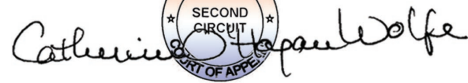

Nominal Defendants.

The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to FRAP 42.

The stipulation is hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit